

U.S. Application No. 10/801,930, filed March 16, 2004

Attorney Docket No. 16136US02

Amendment dated November 30, 2009

Accompanying Request for Continued Examination filed November 30, 2009

## REMARKS

This paper is an amendment accompanying a request for continued examination (RCE). It is respectfully requested that prosecution on the merits be re-opened.

Claims 7-9, 11-13, 19-21, 23, 24, 33-35, 37-39, 41, 42 and 44 are pending.

Although Applicants respectfully submit that claims 7-9, 11-13, 19-21, 23, 24, 33-35, 37-39, 41, 42 and 44 are patentable over at least the cite art of record for at least the reasons as set forth more fully in the record, Applicants have amended independent claims 7, 19, 33 and 37 to expedite prosecution and/or to clarify the subject matter therein.

In view of at least the amendments herein, Applicants respectfully submit that the Office Action no longer presents a *prima facie* case of obviousness.

Applicants do not necessarily agree or disagree with the Examiner's characterization of the documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

Applicants respectfully reserve the right to pursue, without prejudice in a continuing and/or related application, subject matter that has been withdrawn, amended and/or cancelled.

With respect to the present application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

In view of at least the foregoing, it is respectfully submitted that the present application is in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-

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listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: November 30, 2009

Respectfully submitted,

/Michael T. Cruz/

Michael T. Cruz

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